IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.CJ.

APPEAL NO. 230 OF 2006
IN
COMPANY PETITION NO.983 OF 2003

R.B.Industrial Constructions (Pune) .. Appellant
v/s.
Tata Toyo Radiators Ltd. .. Respondent

Mr.A.A.Kumbhakoni with Mr.M.J.Jamdar i/by Mr.M.J.Jamdar for the Appellant.

Mr.C.S.Balsara i/by M/s.Mulla & Mulla C.B. & C. for the respondent.

CORAM : R.M.LODHA &
S.A.BOBDE, JJ.

DATED : 21ST AUGUST, 2006.

P.C.

Having heard the counsel for the parties, we are of the view that in view of the serious disputes, as has been held by the learned Company Judge as to the rate, quantity, quality and the work carried out at an extra time, petition for winding up of the respondent-company was misconceived and rightly dismissed by the Company Judge.

2. Appeal is dismissed in limine.

3. The appellant shall be at liberty to pursue its remedy in

accordance with law for redressal of its grievance.

(R.M.LODHA, J.)

(S.A.BOBDE, J.)